

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

AMERICAN PATENTS LLC,

Plaintiff,

v.

QUALCOMM INC. AND QUALCOMM  
TECHNOLOGIES, INC.,

Defendants.

CIVIL ACTION NO. 6:22-cv-774-ADA

**JURY TRIAL DEMANDED**

**CASE READINESS STATUS REPORT**

Plaintiff American Patents LLC (“American”) and Defendants Qualcomm Inc. and Qualcomm Technologies, Inc. (together, “Qualcomm”) hereby provide the following status report in advance of the initial Case Management Conference (CMC).

**SCHEDULE**

A scheduling order has not yet been filed.

**FILING AND EXTENSIONS**

Plaintiff’s Original Complaint was filed on July 12, 2022. (Dkt. # 1). There has been one extension for a total of 45 days.

**RESPONSE TO THE COMPLAINT**

On September 22, 2022, Defendants filed their Motion for Partial Dismissal. (Dkt. # 18).

**PENDING MOTIONS**

There is one pending motion before the Court in this matter: Defendants’ September 22, 2022 Motion for Partial Dismissal. (Dkt. # 18). Additionally, Qualcomm anticipates filing a

motion to transfer within the timeframe provided by the Court's Order Governing Patent Proceedings.

### **RELATED CASES IN THIS JUDICIAL DISTRICT**

The following are the CRSR Related Cases filed in this Court that involve the same plaintiff and at the same three asserted patents in this case:

- 6-22-cv-00771
- 6-22-cv-00772 (dismissed)
- 6-22-cv-00773 (dismissed)

### **IPR, CBM, AND OTHER PGR FILINGS**

There are no known live IPR, CBM, or other PGR filings involving the asserted patents, and no prior IPR, CBM, or other PGR filings involving the asserted patents has resulted in a Final Written decision.

### **NUMBER OF ASSERTED PATENTS AND CLAIMS**

Plaintiff has asserted three patents, U.S. Patent Nos. 7,088,782, 7,310,304, and 7,706,458. The deadline for Plaintiff to serve its Preliminary Infringement Contentions has not yet passed. Plaintiff hereby states that it asserts 49 total claims from those three patents: 18 claims from U.S. Patent No. 7,088,782 (Claims 30-38, 40, and 44-51); 13 claims from U.S. Patent No. 7,310,304 (Claims 1-10 and 11-13); and 18 claims from U.S. Patent No. 7,706,458 (Claims 1-9, 11-12, 14, 16, 17, and 19-22).

### **APPOINTMENT OF TECHNICAL ADVISER**

American Patents requests a technical adviser to be appointed to the case to assist the Court with claim construction issues. Qualcomm does not believe a technical advisor is necessary in this matter.

**MEET AND CONFER STATUS**

Plaintiff and Defendants met and conferred. The parties have agreed to accept service by email on counsel of record. The parties further agree that any party may take a deposition by videoconference, telephone, or other remote means, rather than in person. An attorney defending such a deposition may appear in person or via videoconference, telephone, or other remote means, at his or her option, as may any other attorney that wishes to appear at that deposition. The parties have agreed to submit a joint motion for protective order by October 13th. Additionally, Qualcomm anticipates filing a motion to transfer. The parties have no other pre-Markman issues to raise at this time.

Dated: September 29, 2022

Respectfully submitted,

/s/ Zachariah S. Harrington

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**COUNSEL FOR DEFENDANTS QUALCOMM  
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INC.**

**CERTIFICATE OF SERVICE**

I hereby certify that on the 29th day of September 2022, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

By: /s/ Zachariah S. Harrington

Zachariah S. Harrington